

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

12458  
PLM. I  
Mr. Roney

FILE: B-196636

DATE: January 7, 1980

MATTER OF: Earl Gums **REQUEST FOR** backpay for extended detail

**DIGEST:** Employee claims backpay for extended detail to a higher-graded position and submits statements from his coworkers in support of his claim. CSC Bulletin No. 300-40 places burden of documenting detail on employee. Acceptable documentation of a detail consists of official personnel records, statements from claimant's supervisor or other management official certifying that employee performed duties of higher-graded position, or decision under established grievance procedures. Statements from fellow workers do not resolve contradictory record raising doubt as to whether employee was detailed for more than 120 days.

This action results from an appeal of our Claims Division Settlement Z-2729503, dated December 19, 1978, which denied the claim of Mr. Earl Gums, an employee of the General Services Administration (GSA), for compensation incident to an alleged detail in excess of 120 days. Mr. Gums' claim was denied because he had failed to provide sufficient evidence to establish that he was in fact detailed to a higher-grade position for more than 120 days. In appealing his claim, Mr. Gums suggests that he has provided persuasive evidence in the form of the affidavits of four former coworkers stating that he was detailed from his position as Custodial Laborer WG-2 to the higher-graded position of Custodial Leader WL-2 from November 1972 to April 23, 1973.

Civil Service Commission Bulletin No. 300-40, May 25, 1977, provides guidance as to the nature of the documentation required to establish that a detail occurred. In the absence of a SF-52 or other appropriate official form from the employee's Official Personnel Folder the employee may submit his copy of a SF 50 or 52; a written statement from his supervisor during the period claimed, or other management official familiar with his work, certifying that to their personal knowledge, the employee performed the duties of the claimed position; or, a decision under established grievance procedures. In general, the statements of coworkers are not sufficient to establish that a detail occurred. Walter D. Corder, B-195023, August 21, 1979, and William L. DeGraw, B-194369 August 24, 1979.

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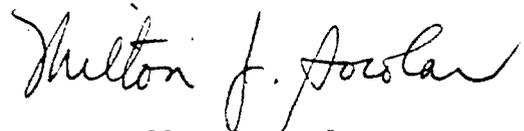
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In Mr. Gums' particular case, the coworkers' statements do little to clarify an already confused record. The WL-2 position to which Mr. Gums claims he was detailed was held by Mr. Quitugua, who in turn has claimed that he was detailed for a like period to the higher-graded position of Custodial Foreman, a position held by Mr. Hill. The record indicates that Mr. Hill became ill in early November 1972 and did not return to work until March 13, 1973. There is some suggestion that for the period between March 13 and April 23, 1973, Mr. Hill may have performed less than the full scope of the duties of his Custodial Foreman position.

It appears to have been Mr. Hill's understanding that a Mr. Caldwell was performing the Custodial Foreman's duties in his absence and in fact the record contains a letter detailing Mr. Caldwell to that position effective November 1, 1972. The statements of other individuals, however, indicate that Mr. Quitugua rather than Mr. Caldwell performed the Custodial Foreman duties throughout the period of Mr. Hill's absence, although the record contains documentation only of Mr. Quitugua's detail beginning February 5, 1973, and terminating March 18, 1973. Since there is no documentation of Mr. Gums' detail to Mr. Quitugua's position and because it appears that Mr. Gums performed the Custodial Leader duties only insofar as they were not performed by Mr. Quitugua during his detail to Mr. Hill's position, the confusion as to Mr. Quitugua's detail necessarily raises a question as to the duration of Mr. Gum's detail. The statements by his coworkers do not resolve that confusion.

Based on the record GSA was unable to find that Mr. Quitugua was detailed to Mr. Hill's position for in excess of 120 days. Thus, even assuming Mr. Gums was detailed to the Custodial Leader position during the period of Mr. Quitugua's detail, GSA found that Mr. Gums could not have been detailed for more than 120 days. In light of the record we are unable to find that GSA or our Claims Division erred in holding that Mr. Gums has not sustained his burden of proof to establish that he was detailed to the higher-grade position of Custodial Leader for a period in excess of 120 days.

The action of our Claims Division denying Mr. Gums' claim is sustained.



For The Comptroller General  
of the United States